

CAL/OSHA CONSULTATION SERVICE

GOLDEN EAGLE PROGRAM INFORMATION PACKET

October 1, 2003

**For information on this or any of the
Cal/OSHA Recognition and Exemption Programs contact the Cal/OSHA
Consultation Service Employer Assistance Office closest to you.**

A PARTNERSHIP WITH CAL/OSHA

It is the policy of the Division of Occupational Safety and Health to provide opportunities for entire industries and individual establishments to work as partners with labor and Cal/OSHA in implementing and maintaining high standards of workplace safety and health management. The resulting partnership offers several levels of recognition to qualified companies and their employees:

- Voluntary Protection Program (VPP) and Golden State - The leadership recognition levels for companies that have highly effective safety and health management systems.
- Golden Eagle - For small high-hazard fixed-site companies that are maintaining advanced safety and health management systems.
- Golden Gate - For any high-hazard companies that are maintaining effective safety and health management systems.

ABOUT THE GOLDEN EAGLE PROGRAM

- The Golden Eagle Program is site-specific and designed specifically for small high-hazard employers. Company worksites that meet the requirements of this program receive recognition and programmed inspection exemption by Cal/OSHA. Golden Eagle worksites are recognized as worksites expected to have a significantly lower risk for serious accidents than other employer's worksites within the same industry. In turn, this allows Cal/OSHA to focus its programmed inspection efforts on other worksites.
- Golden Eagle employers must demonstrate that they have management commitment to and employee involvement in their safety and health management system. The company must also demonstrate that their safety and health management systems are effective in preventing accidents at the worksite.
- The Golden Eagle application and approval process is managed through the Cal/OSHA Consultation Service's on-site visit process. Like all the Cal/OSHA partnership programs, the Golden Eagle Program is designed to ensure employer success. The Cal/OSHA Consultation Service can assist the employer until such time that the employer becomes qualified to participate. When achieved, the Golden Eagle Program status will be granted to the worksite, and will initially, be applicable for one (1) year, with renewals available for up to two (2) years.
- Participation in this program is voluntary and subject to routine eligibility and random worksite evaluations by the Cal/OSHA Consultation Service. Participation also does not diminish the rights and responsibilities of the Golden Eagle employers and their employees under the California Labor Code. Participating employers assume both the statutory and common law responsibilities for providing safe and healthful workplaces. Compliance with Cal/OSHA standards and applicable laws remain mandatory.

QUALIFICATIONS

Your company may be considered for Golden Eagle recognition if it meets the following qualifications:

1. Requests and receives a full-service comprehensive on-site visit by the Cal/OSHA Consultation Service at the worksite to be evaluated.
 2. Employs at least one employee at the worksite evaluated, but no more than 250 at the site or 500 company-wide.
 3. Your company meets the definition of Cal/OSHA Consultation Service's high hazard employer. High hazard employers are defined as an:
 - a. Industry identified in the Division's strategic and annual plans;
 - b. Establishment with a current experience modification rating of 125% or greater;
 - c. Industry identified by the Division as being a high hazardous nature by virtue of the industry's LWDI; or
 - d. Establishment with a SIC/NAIC coding listed that is considered a high hazard nature workplace by the Cal/OSHA Consultation Service.
 4. Your company has a good compliance history as defined below.
 - a. Good compliance history for a fixed worksite: No final order willful, repeat, or willful-repeat citations at the worksite within twenty-four (24) months from the date of the opening conference, and no serious citations related to a serious injury or exposure at the worksite within twelve (12) months from the date of the opening conference.
 - b. Good compliance history for a non-fixed worksite: No final order willful, repeat, or willful-repeat citations at any worksite within twenty-four (24) months from the date of the opening conference, and no serious citations related to a serious injury or exposure at the worksite to be evaluated within twelve (12) months from the date of the opening conference.
- NOTE:** Golden Eagle participation will not be determined until after any and all citations are final order.
5. Have established and maintained a highly effective injury and illness prevention program as a basis for your safety and health management system. The sample review elements found in this Information Packet may be used for self-assessment of your injury and illness prevention program; and
 6. Demonstrate a lower than average number of injuries and illnesses over the previous four (if applicable) full calendar years. Successful applicants must meet or exceed at least two of the following ratings:
 - (i) Experience Modification Rating at or below 90%;
 - (ii) Average Lost Work Day Injury and Illness (LWDII) incident rating at or below 90% of the most recent California industry average; or
 - (iii) Total Injury and Illness (TII) Rate at or below 90% of the most recent California industry average;
 - (iv) Average Days Away, Restricted, Transferred (DART) incident rating at or below 90% of the most recent California industry average; or
 - (v) Total Recordable Case (TRC) rate at or below 90% of the most recent California industry average.

THE GOLDEN EAGLE PROCESS

HOW TO APPLY

Application for Golden Eagle begins with a telephone call to your local Cal/OSHA Consultation Service Employer Assistance Office asking for a Golden Eagle evaluation. The Employer Assistance Office will explain what documentation you will have to submit before an evaluation will be performed. The Cal/OSHA Consultation Service may already have some of the required documentation if you have had recent on-site visits by them.

THE VISIT

Upon your company's request or acceptance of the Cal/OSHA Consultation Service's offer, a Cal/OSHA Consultation Service Area Office representative will arrange a full-service comprehensive on-site visit to your worksite to meet with company representatives, discuss the company's safety and health program management systems, talk to workers, and to walk-around the work area. Applicable union signatory business representatives must be invited to participate in the on-site visit. However, the amount of participation is up to the union representatives.

The visit may result in identification of hazardous conditions that must be corrected before recognition and further assistance can be granted. The visit will be performed by a Cal/OSHA Consultation Service's representative and therefore non-compliance findings by the team will not be subject to citations or penalties. However, Cal/OSHA Enforcement will be notified if the company fails to take appropriate action to abate serious hazards identified during the visit. The Cal/OSHA Consultation Service representative will explain the visit process and the company's rights and responsibilities before visiting the company worksite.

THE EVALUATION

The Cal/OSHA Consultation Service representative will decide whether to recommend that your company receive Golden Eagle recognition and exemption. Cal/OSHA Consultation Service and Cal/OSHA Enforcement management will give the final approval based on the representative's evaluation of your company's qualifications and the subsequent recommendation.

RECOGNITION AND EXEMPTION

Following final approval, a formal letter of Golden Eagle participation and a certificate stating the exemption period will be provided to your company recognizing your achievement. The certificate will be signed by the Program Manager for the Cal/OSHA Consultation Service and the Deputy Chief of Field Enforcement.

RENEWALS

A company is allowed only one renewal. The renewal is for two years after which the company cannot renew Golden Eagle at the same worksite for another two years. Requests for renewal must be provided to the local Employer Assistance Office within ninety (90) days of termination of Golden Eagle participation.

GOLDEN EAGLE OBLIGATIONS

Once your company has been recognized as a Golden Eagle participant and receives its programmed inspection exemption status, your company's Golden Eagle worksite is then obligated to:

- Promptly inform the Cal/OSHA Consultation Service regarding any Cal/OSHA Enforcement actions at your Golden Eagle company worksite;
- Maintain a satisfactory compliance history;
- Allow Division of Occupational Safety and Health authorized enforcement or consultation personnel (Cal/OSHA Enforcement or Cal/OSHA Consultation Service) access to the Golden Eagle worksite;
- Notify the Cal/OSHA Consultation Service whenever there is a change of ownership, location, or corporate structure to the Golden Eagle company's worksite within 30 calendar days of the changes;
- Maintain Golden Eagle company safety and health management system standards as demonstrated during the evaluation period;
- Voluntarily withdraw Golden Eagle participation if any of the above are obligations are not met during the exemption period.

FOR MORE INFORMATION

For more information on this and other Cal/OSHA partnership programs, contact the nearest local Cal/OSHA Consultation Service Employer Assistance office. Office locations and telephone numbers are listed on the last page of this document.

SAMPLE REVIEW ELEMENTS

Participation in the Golden Eagle program requires that your company implement and maintain a highly effective injury and illness prevention program. Your local Cal/OSHA Consultation Service Employer Assistance Office can provide you with a fifty-eight (58) point evaluation list that will be used by the Cal/OSHA Consultation Service representative to evaluate your program. You can use this list to perform a self-evaluation of your workplace safety and health programs. In addition, the following safety and health program elements may apply to your workplace if one or more employers are performing work at your worksite.

DUAL EMPLOYER RESPONSIBILITIES

Program Element	Effectively Implemented	Action Item
Are the health and safety responsibilities of Primary and Golden Eagle candidate employers clearly and effectively outlined in the contract?		
Does the Primary Employer supervise its employees on-site?		
Does the Golden Eagle candidate employer specifically address the supervision and training of Primary Employer' employees in the workplace IIPP?		
Is site-specific training of Primary Employer' employees being effectively done?		
Does the Golden Eagle candidate employer provide initial oversight of new Primary Employer' employees to ensure that the employees have been adequately trained, including the necessary PPE?		
Is the Golden Eagle candidate employer including Primary Employer' employees on its Log 300 (for those employees being supervised)?		
Does the Golden Eagle candidate employer's IIPP adequately include Primary Employer' employees being supervised?		
Is there an effective communication process between the Primary and Golden Eagle candidate employers that ensures identified hazards and controls are effectively addressed?		

MULTI-EMPLOYER RESPONSIBILITIES

Program Element	Effectively Implemented	Action Item
Is there an effective mechanism in place at the workplace being evaluated that ensures that all the hazards inherent to the workplace are communicated to other employers?		
Are the potential hazards created by one employer being effectively communicated to other employers, so that adequate employee exposure to those hazards can be controlled?		
Does the Golden Eagle candidate employer exercise the necessary oversight to ensure that visiting contractor employers follow their contractual health and safety obligations?		
Does the Golden Eagle candidate employer have an effective system in place that will quickly stop the unsafe actions of another employer?		
Does each project have a worker recognition program that is designed to prevent injuries and illnesses?		
Is the safety and health representative reporting structure effective?		
Are employees actively involved in watching for hazardous situations? Actively involved refers to employees and management constantly observing and assessing workplace hazards, controls, and work practices while they perform their job and then following procedures to ensure failures are corrected.		
Does the project have a written site-specific safety and health program?		
Are pre-job safety and health meetings held?		
Are toolbox safety and health meetings held at least weekly?		
Are home office inspections performed often enough to be effective?		
Does every worker on-site receive structured safety and health orientation?		
Are subcontractors required to submit written site-specific safety plans?		
Do all subcontractors understand their responsibilities at a multi-employer worksite?		
Are there effective sanctions for subcontractor non-compliance with safety and health rules and standards?		

CONTACT INFORMATION

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Cal/OSHA Consultation Service's EMPLOYER ASSISTANCE PROGRAM

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Cal/OSHA Consultation Service's GOLDEN GATE-EAGLE-STATE PROGRAMS

[Contact the nearest Employer Assistance Office]